

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**United States Court  
Southern District of Texas  
FILED**

**APR 12 2017**

**David J. Bradley, Clerk of Court**

**UNITED STATES OF AMERICA**

**V.**

**MARCUS BARBA ESQUIVEL**

§  
§  
§  
§  
§

**CRIMINAL NO.**

**(UNDER SEAL)**

**17CR0219**

**INDICTMENT**

**COUNTS ONE - FOUR  
(Willfully Filing False Tax Return –  
26 U.S.C. § 7206(1))**

1. On or about the dates shown below, in the Houston Division of the Southern District of Texas and elsewhere,

**MARCUS BARBA ESQUIVEL,**

Defendant herein, did willfully make and subscribe U.S. Individual Income Tax Returns, IRS Form 1040, and related Schedules, for the following calendar years set forth below and filed with the Internal Revenue Service on or about the dates indicated below, which returns contained and were verified by a written declaration that they were made under the penalties of perjury, and which Defendant did not believe to be true and correct as to every material matter in that

Defendant: (a) reported that gross receipts on Line 1 of Schedule C was the amount indicated below, whereas, as he then and there knew and believed, the amount of gross receipts on Line 1 of Schedule C was substantially greater; (b) reported that business income on Line 12 of Form 1040 was the amount indicated below, whereas, as he then and there knew and believed, the amount of business income on Line 12 of Form 1040 was substantially greater; and (c) reported that total income on Line 22 of Form 1040 was the amount indicated below, whereas, as he then and there knew and believed, the amount of total income on Line 22 of Form 1040 was substantially greater:

| Count | Calendar Year | Approximate Date of Filing | Gross Receipts Reported on Line 1 Schedule C | Business Income Reported on Line 12 Form 1040 | Total Income Reported on Line 22 Form 1040 |
|-------|---------------|----------------------------|--|---|--|
| 1     | 2010          | April 18, 2011             | \$39,000                                     | \$22,750                                      | \$26,750                                   |
| 2     | 2011          | April 4, 2012              | \$35,100                                     | \$25,150                                      | \$25,150                                   |
| 3     | 2012          | April 13, 2013             | \$45,300                                     | \$36,443                                      | \$36,443                                   |
| 4     | 2013          | April 15, 2014             | \$157,689                                    | \$81,222                                      | \$81,222                                   |

In violation of Title 26, United States Code, Section 7206(1).

A TRUE BILL:

ORIGINAL SIGNATURE ON FILE

FOREPERSON OF THE GRAND JURY \_\_\_\_\_

ABE MARTINEZ  
ACTING UNITED STATES ATTORNEY

By:

A handwritten signature in black ink, appearing to read "Robert S. Johnson", written over a horizontal line.

Robert S. Johnson  
Assistant United States Attorney